

Chapter 1

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Montezuma National Wildlife Refuge

Purpose of, and Need for, Action

- Introduction
- The Purpose of, and Need for, the Proposed Action
- Project Area
- The Service and the Refuge System: Policies and Mandates Guiding Planning
- Conservation Plans and Initiatives Guiding the Proposed Action
- Refuge Operational Plans (“Step-down” Plans)
- Refuge Purposes and Land Acquisition History
- Refuge Vision Statement
- Refuge Goals
- The Comprehensive Conservation Planning Process
- Issues, Concerns, and Opportunities

Introduction

This draft Comprehensive Conservation Plan (CCP) for Montezuma National Wildlife Refuge (Montezuma NWR, refuge) combines two documents required by Federal law into one: a CCP, required by the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) (Refuge Administration Act) as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57; 111 Stat. 1253) (Refuge Improvement Act) and an environmental assessment (EA), required by the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 et seq.; 83 Stat. 852), as amended. This document also conforms to U.S. Fish and Wildlife Service (Service, we, our) policy and legal mandates (see “The Service and the Refuge System: Policies and Mandates Guiding Planning” below).

Following the public review of this draft CCP/EA, the Service’s Northeast Regional Director will decide on the components of a final CCP to guide refuge management decisions over the next 15 years. Any proposed expansion of the refuge would need to be approved by the Service’s National Director. The Service will use the CCP to promote understanding of, and support for, refuge management among State agencies in New York, our conservation partners, tribal governments, local communities, and the public.

This draft CCP/EA has 6 chapters and 10 appendixes. This first chapter sets the stage for the subsequent chapters. Specifically, “Chapter 1, Purpose of, and Need for, Action”

- explains the purpose of, and need for, a CCP/EA for the refuge;
- defines the project area;
- presents the mission, policies, and mandates affecting the development of this plan;
- identifies other conservation plans used as references in the development of this plan;
- lists the purposes for which the refuge was established and its land acquisition history;
- presents the vision and goals that drive refuge management;
- describes refuge operational (or “step-down”) plans;
- describes the planning process and its compliance with NEPA regulations; and
- describes the key issues, concerns, and opportunities addressed in the draft plan.

“Chapter 2, Affected Environment,” describes the physical, biological, and human environments of the refuge.

“Chapter 3, Alternatives Considered, Including the Service-preferred Alternative,” presents three proposed management alternatives for the refuge, each with different objectives and strategies for meeting refuge goals and addressing public issues, along with activities that are expected to occur on the refuge regardless of the alternative selected for the final CCP.

“Chapter 4, Environmental Consequences,” assesses the environmental consequences of implementing each of the three proposed management alternatives, predicting the foreseeable benefits and consequences affecting the socioeconomic, physical, cultural, and biological environments described in chapter 2.

“Chapter 5, Consultation and Coordination,” summarizes how the Service involved the public and its partners in the planning process; their involvement is vital for the future management of this refuge and all national wildlife refuges.

“Chapter 6, List of Preparers,” credits Service and non-Service contributors to the draft CCP/EA.

Ten appendixes, a glossary with acronyms, and a bibliography provide additional documentation and references to support the developed narratives and analysis in the plan.

The Purpose of, and Need for, the Proposed Action

Our proposed action is to develop a CCP for the refuge that best achieves the refuge’s establishing purpose(s), vision, and goals of the refuge; contributes to the mission of the National Wildlife Refuge System (Refuge System); adheres to Service policies and other mandates; addresses identified issues of significance; and incorporates sound principles of fish and wildlife science.

NEPA regulations require an evaluation of a reasonable range of alternatives, including a proposed (or preferred) action, no action, and, if deemed appropriate, one or more other reasonable alternatives. Under the “no action” alternative, we would not change current management practices. In this CCP, alternative A, is the no action alternative, and it describes our existing management priorities and activities, and serves as a baseline for comparing and contrasting the other alternatives and how well each meets the purpose of, and need for, a CCP.

The *purpose* of the CCP is to develop a management direction that best achieves the refuge purpose; attains the vision and goals developed for the refuge (see p. 1-22); contributes to the Refuge System mission; addresses key problems, issues, and relevant mandates; and is consistent with sound principles of fish and wildlife management.

The *need* for a CCP on this refuge is twofold. First, the Refuge Improvement Act requires national wildlife refuges to develop CCPs to help fulfill the mission of the Refuge System. Second, Service policies have been developed since the refuge was first established that provide specific guidance on implementing the Refuge Improvement Act. A CCP incorporates those policies and provides strategic management direction for the refuge for the next 15 years, by

- clearly stating the desired future conditions for refuge habitat, wildlife, visitor services, staffing, and facilities;
- providing state agencies, refuge neighbors, visitors, partners, and other stakeholders a clear explanation of the management actions;

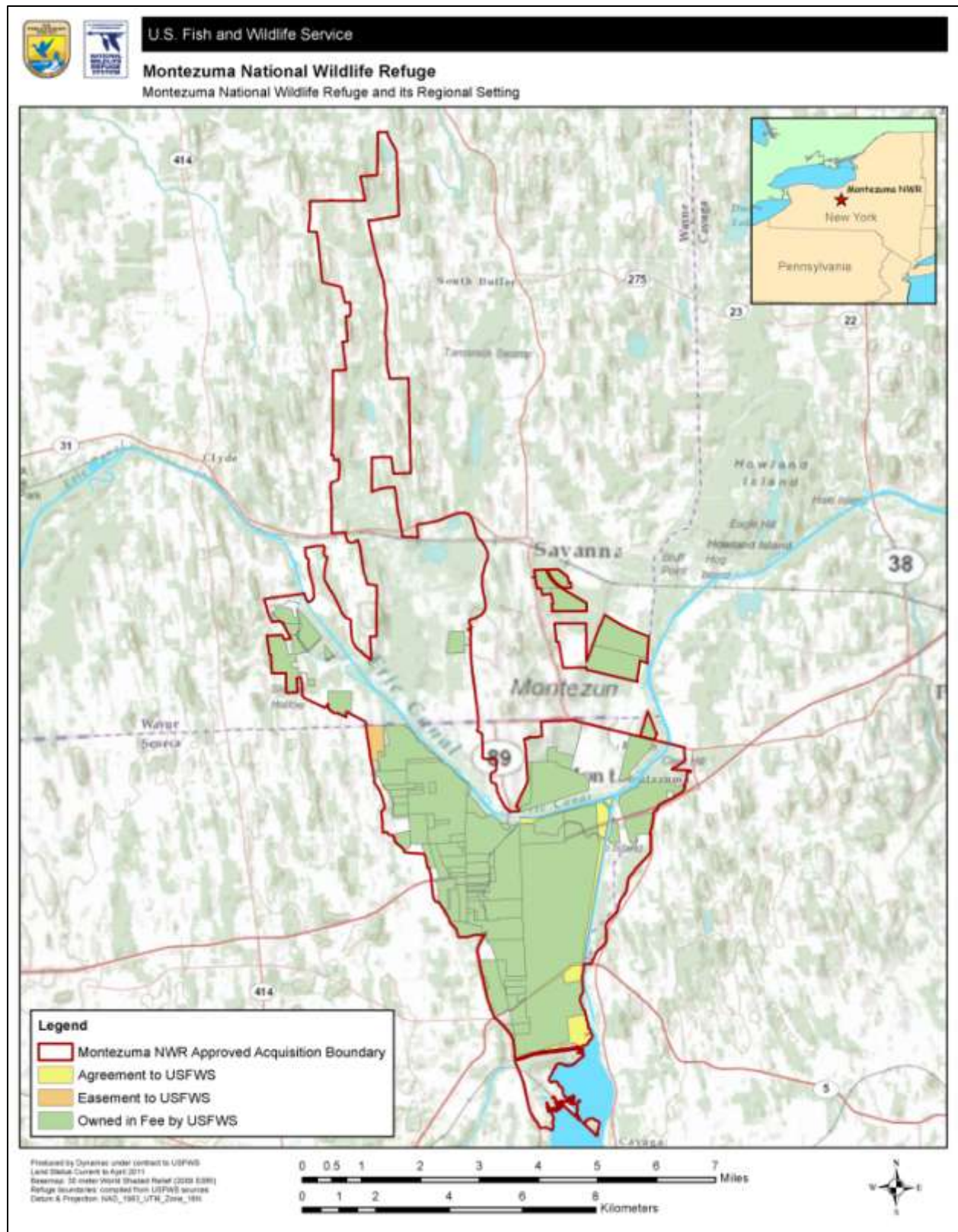
- ensuring that refuge management conforms to the policies and mission of the Refuge System and legal mandates;
- ensuring that present and future public uses are appropriate and compatible;
- providing long-term continuity and consistency in management direction; and,
- justifying budget requests for staffing, operating, and maintenance funds.

Project Area

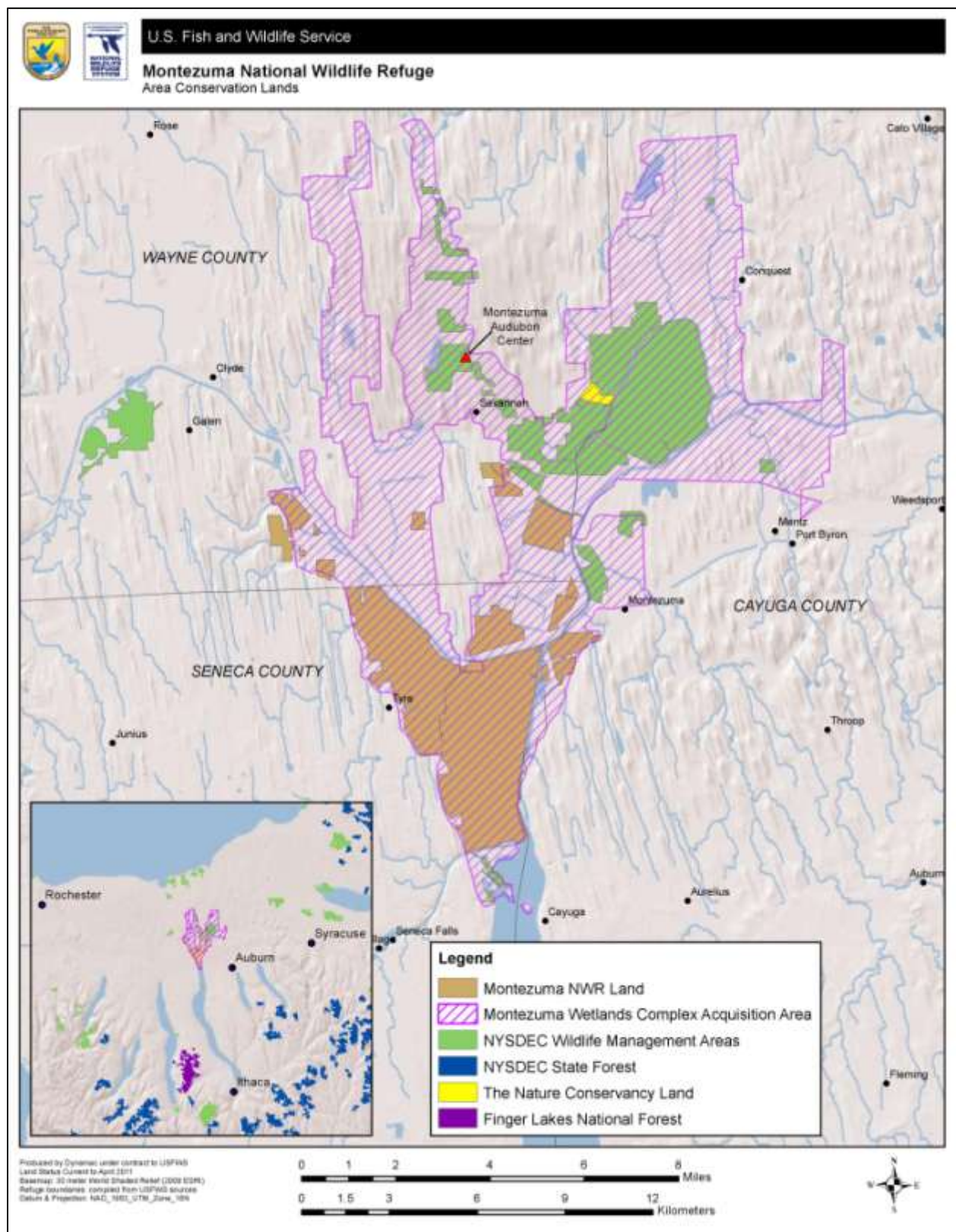
The refuge lies within the in the drumlin subzone of the Great Lakes Plain physiographic zone of central New York (map 1.1). The project area analyzed in this draft CCP/EA includes the current approved acquisition boundary of 19,510 acres as well as an additional 1,421 acres identified for proposed expansion of the refuge boundary. The refuge itself is located at the north end of Cayuga Lake in the Finger Lakes region of the State. Situated in Seneca, Wayne, and Cayuga Counties (map 1.1), the refuge currently encompasses 9,184 acres, including lands owned in fee and easements. Refuge habitats include emergent marshes and shallow-water mudflats, open water, bottomland floodplain forest, old fields and shrublands, croplands, grassland, and successional forest.

The refuge is part of the Montezuma Wetlands Complex (MWC), an area identified for its role in the conservation of migratory birds, particularly waterfowl, by the Service, New York State Department of Environmental Conservation (NYSDEC), and other partners. The mission of the MWC is to protect, restore, enhance, and manage wildlife habitat; to preserve and restore ecological integrity for the long-term benefit of wildlife populations and society; and to serve as a model for landscape-level restoration and ecosystem management. Restoration of the MWC is among the largest and most ambitious wetland restoration and enhancement efforts in North America. The MWC is part of the 5,100-square-mile Oswego River watershed and includes wetlands and adjacent upland areas north of Cayuga Lake, extending up the Black Brook, Crusoe Creek, Butler Creek, Clyde River, and Seneca River drainages, all of which eventually flow into Lake Ontario (see chapter 2, “Physical Environment,” for additional information).

A flagship project under the North American Waterfowl Management Plan (NAWMP), the MWC seeks to restore thousands of acres of wetland habitat and associated uplands within a 50,000-acre drainage basin that was once among the premier wetland areas in the eastern United States. The MWC provides habitat for over 300 species of fish and wildlife and is situated along the Atlantic Flyway, a spring and fall migration route for millions of birds. The MWC has been recognized as an important bird conservation area by many conservation organizations and has been highlighted in many conservation plans including: North American Bird Conservation Plan-Bird Conservation Region (BCR) 13, Partners in Flight (PIF) Plan, Audubon New York’s Important Bird Area (IBA) Program and New York State Comprehensive Wildlife Conservation Strategy (CWCS). Within the Finger Lakes region, the MWC shares a mosaic of conservation lands with New York State Wildlife Management Areas (WMA), State Parks, and State Forests, Finger Lakes National Forest, and lands managed by The Nature Conservancy (TNC) and Finger Lakes Land Trust (map 1.2).



Map 1.1. Montezuma National Wildlife Refuge and its Regional Setting.



Map 1.2. Area Conservation Lands.

The Service and the Refuge System: Policies and Mandates Guiding Planning

This section highlights Service policies, legal mandates and regulations, and existing resource plans and conservation initiatives that influenced the development of this draft CCP/EA.

The U.S. Fish and Wildlife Service and its Mission

As part of the Department of the Interior, the Service administers the Refuge System. The Service's mission is, "Working with others, to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people."

Congress entrusts the conservation and protection of the following national natural resources to the Service: migratory birds and fish, federally listed, endangered or threatened species, interjurisdictional fish, wetlands, certain marine mammals, and national wildlife refuges. The Service also enforces Federal wildlife laws and international treaties on importing and exporting wildlife, assists states with their fish and wildlife programs, and helps other countries develop conservation programs.

The Service Manual (United States Fish and Wildlife Service [USFWS] 2011) contains the standing and continuing directives on implementing the Service's authorities, responsibilities, and activities. Special directives that affect the rights of citizens or the authorities of other agencies are not contained in the Service Manual; they are published by the Service separately in the Code of Federal Regulations (50 CFR 1-99; GPO 2011).

The National Wildlife Refuge System and its Mission and Policies

The Refuge System is the world's largest collection of lands and waters set aside specifically for conserving wildlife and protecting ecosystems. More than 550 national wildlife refuges exist in the system and encompass more than 150 million acres of lands and waters. The Refuge System has interests in all 50 states and several island territories in the U.S. Each year, more than 35 million visitors hunt, fish, observe and photograph wildlife, or participate in environmental education and interpretation activities on these refuges.

In 1997, President Clinton signed into law the National Wildlife Refuge System Improvement Act (Public Law 105-57; 111 Stat. 1253), amending the Refuge Administration Act (see "Introduction" of this chapter). The Refuge Improvement Act establishes the following unifying mission for the Refuge System:

"The mission of the [Refuge] System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans" (National Wildlife Refuge System Improvement Act; Public Law 105-57).

It also establishes a new process for determining compatibility of public uses on refuges, and requires the Service to prepare a CCP for each refuge. The Refuge Improvement Act states that the Refuge System must focus on wildlife conservation and that the mission of the Refuge System, coupled with the purpose(s) for which each refuge was established, will provide the principal management direction on that refuge.

The Service Refuge Manual contains policy governing the operation and management of the Refuge System, including technical information on implementing refuge policies and guidelines on enforcing laws. The Service is in the process of updating and transferring the policies and guidance in the Refuge Manual into the Service Manual. While many of these policies are in the Service Manual, some have not been transferred yet and are still recorded in the Refuge Manual (USFWS 1989). The Refuge Manual is not available online, but can be viewed at refuge headquarters. In addition, there are a few noteworthy policies in the Service Manual that relate to the Refuge System and were instrumental in the development of this draft CCP/EA; descriptions of those policies follow.

Fulfilling the Promise

A year-long process involving teams of Service employees who examined the Refuge System within the framework of “Wildlife and Habitat, People, and Leadership” culminated with “Fulfilling the Promise: The National Wildlife Refuge System,” a vision for the Refuge System. The first-ever Refuge System Conference in Keystone, CO, in October 1998, was attended by every refuge manager in the country, other Service employees, and scores of conservation organizations. Nineteen “action teams” formed to develop strategies for implementing the 42 recommendations of the conference report. Information from such teams as Wildlife and Habitat, Goals and Objectives, Strategic Growth of the Refuge System, Invasive Species, and Inventory and Monitoring helped guide the development of the goals, strategies, and actions in this draft CCP/EA. The Refuge System is currently working on updating this process. We will incorporate applicable results of this effort as they become available.

Policy 601 FW 1 – National Wildlife Refuge System Mission and Goals and Refuge Purposes

Service policy 601 FW 1 (USFWS 2011) sets forth the Refuge System mission noted previously and how it relates to the Service mission, and explains the relationship of the Refuge System mission and goals to the purpose(s) of each refuge in the Refuge System. The policy identifies the following Refuge System goals:

- Conserve a diversity of fish, wildlife, and plants.
- Develop and maintain a network of habitats to meet important life history needs of species.
- Conserve those ecosystems, plant communities, wetlands, landscapes, and seascapes that are unique.
- Provide and enhance opportunities to participate in compatible, wildlife-dependent recreation.
- Foster understanding and instill appreciation of the diversity and interconnectedness of fish, wildlife, and plants and their habitats.

This policy also establishes the following management priorities for the Refuge System:

1. “conserving fish, wildlife, and plants and their habitats;
2. facilitating compatible wildlife-dependent recreational uses; and
3. considering other appropriate and compatible uses.”

Policy 602 FW 1, 3, and 4 – Refuge System Planning

Service policies 602 FW 1, 3, and 4 establish the requirements and guidance for Refuge System planning, including the CCP process and step-down management planning. Policy 602 FW 1 (USFWS 2011) states that the Service will manage all refuges in accordance with an approved CCP that, when implemented, will help

- achieve refuge purposes;
- help fulfill the Refuge System mission;
- maintain and, where appropriate, restore the ecological integrity of each refuge and the Refuge System;
- help achieve the goals of the National Wilderness Preservation System; and
- meet other mandates.

Policy 602 FW 3 (USFWS 2011) provides step-by-step directions and identifies the minimum requirements for developing a CCP. Among these requirements, the Service is to review any existing special designation areas, such as wilderness and wild and scenic rivers; specifically address the potential for any new special designations; and conduct a wilderness review, incorporating a summary of that review into each CCP. As described in policy 602 FW 4 (USFWS 2011), the Service may also develop step-down management plans for a refuge to provide strategies and implementation schedules for meeting the goals and objectives identified in the CCP. Service policies are available at: <http://www.fws.gov/policy/manuals/>.

Policy 603 FW 1 – Appropriate Refuge Uses

Federal law and Service policy provide the direction and planning framework for protecting the Refuge System from inappropriate, incompatible, or harmful human activities and ensuring that visitors can enjoy its lands and waters. Policy 603 FW 1 (USFWS 2011) provides a national framework for determining appropriate refuge uses. It describes the decision process the refuge manager follows when considering whether new or existing uses are appropriate on a refuge. It also clarifies and expands on the compatibility policy (603 FW 2.10D; USFWS 2011), which describes when refuge managers should deny a proposed use without determining compatibility. This policy applies to all proposed and existing uses in the Refuge System only when we have jurisdiction over the use. It does not apply to refuge management activities or situations where reserved rights or legal mandates require that we must allow certain uses (603 FW 1). Appendix B further describes the Service’s policy on appropriate refuge uses and its relationship to the CCP process.

Policy 603 FW 2 – Compatibility

The Refuge Improvement Act is the key legislation regarding management of public uses and compatibility on refuge lands and waters. The act requires that all existing or proposed public

uses of a refuge must be compatible with the refuge's purpose(s). Service policy 603 FW 2 (USFWS 2011) complements the policy on appropriate refuge uses. It establishes the process the Service uses for determining whether or not a public use is a compatible use, incorporating the compatibility provisions of the Refuge Improvement Act and procedures for documentation and periodic review of existing uses. Specifically, for a use to be compatible it must not "materially interfere with or detract from the fulfillment of the mission of the Refuge System or the purposes of the refuge" (Refuge Improvement Act; Public Law 105-57). The compatibility determinations for Montezuma NWR are presented in appendix B along with additional information on the process.

Policy 605 FW 1-7 – Wildlife-dependent Recreation

The Refuge Improvement Act established six wildlife-dependent priority public uses: hunting, fishing, wildlife observation and photography, and environmental education and interpretation. The Refuge Improvement Act also specifies that, if compatible, these uses are to receive enhanced consideration over other public uses in refuge planning and management. Service policy 605 FW 1 (USFWS 2011) explains how we will provide visitors with opportunities for these priority public uses on Refuge System lands and waters. This policy states that development of these programs should be done "in consultation with state fish and wildlife agencies and stakeholder input" and specifies how we will facilitate the priority public uses.

Policy 601 FW 3 – Maintaining Biological Integrity, Diversity, and Environmental Health

Service policy 601 FW 3 (USFWS 2011) provides guidance on maintaining and restoring the biological integrity, diversity, and environmental health of the Refuge System, including the protection of a broad spectrum of fish, wildlife, and habitat resources in refuge ecosystems. This policy provides refuge managers with a process for evaluating the best management direction for a refuge to prevent the additional degradation of environmental conditions and restore lost or severely degraded components of the environment. It also provides guidelines for dealing with external threats to the biological integrity, diversity, and environmental health of a refuge and its ecosystem.

Other Mandates

Although Service and Refuge System policy and the purpose(s) of each refuge provide the foundation for refuge management, other Federal laws, executive orders, treaties, interstate compacts, and regulations on conserving and protecting natural and cultural resources also affect how the Service manages refuges. The "Digest of Federal Resource Laws of Interest to the U.S. Fish and Wildlife Service" describes many of them (see <http://www.fws.gov/laws/Lawsdigest.html>).

Of particular note are the Federal laws that require the Service to identify and preserve its important historic structures, archaeological sites, and artifacts. NEPA mandates the consideration of cultural resources in planning Federal actions, and the Refuge Improvement Act requires the CCP for each refuge to identify its archaeological and cultural values. Following is a summary of some cultural and historic resource protection laws and other Federal resource laws that relate to the development of CCPs.

Archaeological Resources Protection Act

The Archaeological Resources Protection Act (ARPA) of 1979, as amended (Public Law 96–95; 16 U.S.C. 470aa–470ll; 93 Stat. 721), largely replaced the resource protection provisions of the Antiquities Act of 1906 for archaeological items. ARPA establishes detailed requirements for the issuance of permits for any excavation for, or removal of, archaeological resources from Federal or Native American lands. It also establishes civil and criminal penalties for the unauthorized excavation, removal, or damage of those resources; for any trafficking of those resources removed from Federal or Native American land in violation of any provision of Federal law; and for interstate and foreign commerce in such resources acquired, transported, or received in violation of any state or local law.

Archaeological and Historic Preservation Act

The Archaeological and Historic Preservation Act of 1974, as amended (Public Law 86–523; 16 U.S.C. 469–469c; 74 Stat. 220; Public Law 93–291; 88 Stat. 174), carries out the policy established by the Historic Sites Act described below. It directs Federal agencies to notify the Secretary of the Interior whenever they find that a Federal or federally assisted, licensed, or permitted project may cause the loss or destruction of significant scientific, prehistoric, or archaeological data. This act authorizes the use of appropriated, donated, or transferred funds for the recovery, protection, and preservation of that data.

Historic Sites, Buildings, and Antiquities Act

The Historic Sites, Buildings and Antiquities Act, popularly known as the Historic Sites Act of 1935, as amended (Public Law 89–249; 16 U.S.C. 461–462, 464–467; 49 Stat. 666; 79 Stat. 971), declares it a national policy to preserve historic sites and objects of national significance (including those located on refuges) and provides procedures for designating, acquiring, administering, and protecting these resources. Among other things, National Historic and Natural Landmarks are designated under the authority of this act.

National Historic Preservation Act

The National Historic Preservation Act of 1966, as amended (Public Law 89–665; 16 U.S.C. 470–470b, 470c–470n; 80 Stat. 915), provides for the preservation of significant historical features (e.g., buildings, objects, and sites) through a program of matching grants-in-aid to the states (i.e., the Historic Preservation Fund) established under the existing National Trust for Historic Preservation (16 U.S.C. 468–468d). The National Historic Preservation Act establishes a National Register of Historic Places and directs Federal agencies to take into account the effects of their actions on items or sites listed or eligible for listing on the National Register. This act also establishes an Advisory Council on Historic Preservation, which became a permanent, independent agency in September of 1976 (Public Law 94–422; 90 Stat. 1319).

411 DM 1, 2, and 3 – Managing Museum Property

Through the Department of the Interior Manual Part 411, the Service also has a mandate to care for museum properties it owns in the public trust (411 DM 1, 2, and 3). The most common museum properties are archaeological, zoological, botanical collections, historical photographs, historic objects, and art. Each refuge maintains an inventory of its museum property, and the Service’s regional museum property coordinators guide the refuges in caring for that property and helps them comply with the Native American Grave Protection and Repatriation Act and

Federal regulations governing Federal archaeological collections. This Department of Interior program ensures that these museum collections will remain available to the public for learning and research.

Other Federal Resource Laws

This section highlights other Federal resource laws that are also integral to developing a CCP. The Wilderness Act of 1964 (Public Law 88–577; 16 U.S.C. 1131–1136) establishes a National Wilderness Preservation System (NWPS) that is composed of federally owned areas designated by Congress as “wilderness areas.” This act directs each agency administering designated wilderness to preserve the wilderness character of areas within the NWPS and to administer the NWPS for the use and enjoyment of the American people, in a way that will leave those areas unimpaired for future use and enjoyment as wilderness. The act also directs the Secretary of the Interior, within 10 years, to review every roadless area of 5,000 acres or more and every roadless island (regardless of size) within the Refuge System and National Park System for inclusion in the NWPS. Service planning policy requires that the potential for wilderness on refuge lands be evaluated, as appropriate, during the CCP planning process.

The Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271–1287; 82 Stat. 906), selects certain rivers in the nation possessing remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, preserves them in a free-flowing condition, and protects their local environments. Service planning policy requires that the potential for wild and scenic rivers designations on refuge lands also be evaluated, as appropriate, during the CCP planning process.

Chapter 4, Environmental Consequences, evaluates this plan’s compliance with the acts noted previously, the Clean Water Act of 1977, as amended (Public Law 107–303; 33 U.S.C. 1251 et seq.); the Clean Air Act of 1970, as amended (42 U.S.C. 7401 et seq.); and the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531–1544). In addition to those Federal laws, this draft CCP/EA is also designed to comply with NEPA and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500–1508).

Conservation Plans and Initiatives Guiding the Proposed Action

The following plans and initiatives were used in identifying the species of concern in appendix A and in developing management objectives and strategies to accomplish the aforementioned refuge goals.

Strategic Habitat Conservation

The Service has a goal of establishing and building capacity for science-driven landscape conservation on a continental scale. Our approach, known as Strategic Habitat Conservation (SHC), applies adaptive resource management principles to the entire range of species, groups of species, and natural communities of vegetation and wildlife. This approach is founded on an adaptive, iterative process of biological planning, conservation design, conservation delivery, monitoring and research. The Service is refining this approach to conservation in a national

geographic framework. We will work with partners to develop national strategies to help at-risk wildlife adapt in a climate-changed world. This geographic frame of reference will also allow us to more precisely explain to partners, Congress, and the American public why, where, and how we target resources for landscape-scale conservation and how our efforts connect to a greater whole. More information regarding SHC can be found at:

<http://www.fws.gov/science/StrategicHabitatConservation.html>.

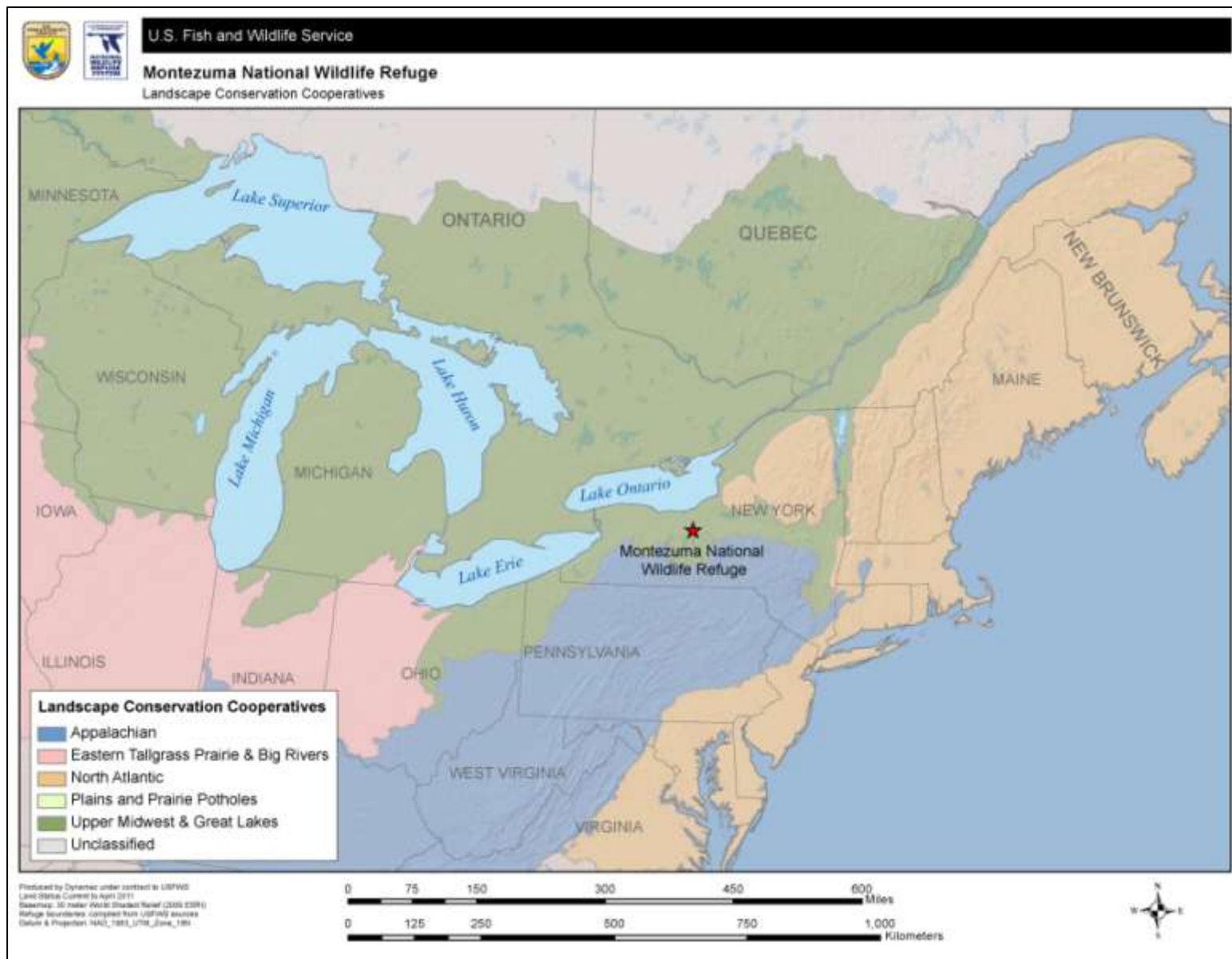
Landscape Conservation Cooperatives

As part of a collaborative effort with U.S. Geological Survey (USGS), the Service is initiating a new approach to landscape conservation through a national geographic network that will create a spatial frame of reference to build partnerships and connect projects to larger scale biological priorities. These 21 geographic areas are aggregates of Bird Conservation Regions and provide a basis for forming Landscape Conservation Cooperatives (LCCs) with other Federal agencies, nongovernmental organizations, states, tribes, universities, and other stakeholders to accomplish conservation goals.

Just as flyways have provided an effective spatial frame of reference to build capacity and partnerships for international, national, state, and local waterfowl conservation, the national geographic framework will provide a continental platform upon which the Service can work with state and other partners to connect project- and site-specific efforts to larger biological goals and outcomes. By providing visual context for conservation at “landscape” scales—the entire range of a priority species or suite of species—the framework helps ensure that resource managers have the information and decisionmaking tools they need to conserve fish, wildlife, plants, and their habitats in the most efficient and effective way possible.

The refuge is located in the Upper Midwest/Great Lakes (UMGL) LCC which combines BCRs 12 (Boreal Hardwood Transition), 13 (Lower Great Lakes/St. Lawrence Plain, previously described in more detail), and 23 (Prairie Hardwood Transition) (map 1.3). Across the 320-million-acre UMGL LCC, approximately 37 million acres (14 percent of the land area) are in conservation estate (USFWS 2010a). Conservation strategies in this region may focus on acquisition and restoration opportunities, but also highlight the importance of state and Federal conservation policies that support implementation on private lands.

The UMGL LCC area includes deepwater habitats, beaches, coastal wetlands, more than 35,000 islands, major river systems, boreal forests, and prairie-hardwood transition zones. These habitats provide for extensive resident and nonresident game populations, fish and many other aquatic resources, waterfowl, colonial waterbirds, marshbirds, and neotropical migrant landbirds.



Map 1.3. Upper Midwest/Great Lakes Landscape Conservation Cooperative.

Birds of Conservation Concern Report (2008)

The Birds of Conservation Concern Report (BCC) fulfills the mandate of the 1988 amendment to the Fish and Wildlife Conservation Act of 1980 (100 Public Law 100–653, Title VIII) which requires the Secretary of the Interior, through the Service, to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973.” The Service developed Birds of Conservation Concern 2008 (USFWS 2008a)—an update to their 2002 report—in consultation with the leaders of ongoing bird conservation initiatives; partnerships, such as Partners in Flight (PIF) North American Landbird Conservation Plan (Rich et al. 2004); the North American Waterfowl Management Plan and Joint Ventures; the North American Waterbird Conservation Plan (Kushlan et al. 2002); and the U.S. Shorebird Conservation Plan (Brown et al. 2001).

The geographic scope of this endeavor is the U.S. in its entirety, including island territories in the Pacific and Caribbean. Species of conservation concern are identified at three distinct geographic scales: national, regional, and landscape. The report includes a national species list, regional lists corresponding to the eight Service Regions, and species lists for the bird conservation regions designated by the North American Bird Conservation Initiative (NABCI). These lists are primarily derived from assessment scores from three major bird conservation plans: the PIF North American Landbird Conservation Plan, the U.S. Shorebird Conservation Plan, and the North American Waterbird Conservation Plan. Bird species listed in the report include nongame birds; gamebirds without hunting seasons; subsistence-hunted nongame birds in Alaska; and Endangered Species Act candidate, proposed, endangered, threatened, and recently delisted species. Population trends, threats, distribution, abundance, and relative density are all factors considered in listing species in the BCC.

This report is intended to stimulate coordinated and collaborative efforts among Federal, state, tribal, and private partners to conserve and manage these species in most need of conservation actions. By focusing attention on these highest priority species, it is hoped that the report will promote greater study and protection of the habitats and ecological communities upon which these species depend, thereby contributing to healthy avian populations and communities. We used the BCC list in compiling appendix A and to help focus on which species might warrant special management attention.

North American Waterfowl Management Plan Update (2004), Atlantic Coast Joint Venture Waterfowl Implementation Plan (2005), and Black Duck Joint Venture Plan (1993)

Originally written in 1986, the North American Waterfowl Management Plan (NAWMP) describes a 15-year strategy promulgated by the U.S., Canada, and Mexico to restore and sustain waterfowl populations by protecting, restoring, and enhancing habitat (U.S. Fish and Wildlife Service and Canadian Wildlife Service 1986). The plan committee, including representatives from each nation, has modified the 1986 plan twice to account for biological, sociological, and economic changes that influenced the status of waterfowl and the conduct of cooperative habitat conservation. The most recent modification (NAWMP 2004) updates the needs, priorities, and strategies for the next 15 years, increases stakeholder confidence in the direction of its actions,

and guides partners in strengthening the biological foundation of North American waterfowl conservation.

To convey goals, priorities, and strategies more effectively, the NAWMP (2004) is comprised of two separate documents: Strategic Guidance, for agency administrators and policy makers who set the direction and priorities for conservation, and an Implementation Framework that includes supporting technical information for use by biologists and land managers.

The NAWMP is implemented at the regional level in 14 habitat joint ventures and 3 species joint ventures that include the Arctic goose, black duck, and sea duck. Our project area (the refuge) lies in the Atlantic Coast Joint Venture (ACJV), which includes the Atlantic Flyway states, from Maine to Florida, and Puerto Rico. The waterfowl goal for the ACJV is to, “Protect and manage priority wetland habitats for migration, wintering, and production of waterfowl, with special consideration to black ducks, and to benefit other wildlife in the joint venture area.”

In 2005, a revision to the original ACJV Waterfowl Implementation Plan (ACJV 1988) was completed. The revised waterfowl implementation plan (ACJV 2005) presents habitat conservation goals and population indices for the ACJV consistent with the 2004 NAWMP update, provides status assessments of waterfowl and their habitats in the joint venture, and updates focus area narratives and maps for each state. The implementation plan is intended as a blueprint for conserving the valuable breeding, migration, and wintering waterfowl habitat present within the ACJV boundary, based on the best available information and the expert opinion of waterfowl biologists from throughout the flyway.

The Black Duck Joint Venture Strategic Plan (Black Duck Joint Venture 2008) is also relevant to our project area. It identifies the goals and objectives of the joint venture and describes implementation plans for population monitoring, research, communications, and evaluation. Black ducks use the refuge year-round and are most plentiful during fall migration.

Bird Conservation Plan for the Lower Great Lakes/St. Lawrence Plain Bird Conservation Region (BCR 13; 2007)

The bird conservation regions designated by the NABCI are ecologically-based units for planning, implementing, and evaluating bird conservation efforts. The refuge lies in the Lower Great Lakes/St. Lawrence Plain Bird Conservation Region (BCR 13) (ACJV 2007). BCR 13 provides important habitat resources for migratory birds with ranges throughout the western hemisphere. The highest bird habitat values are associated with the region’s major aquatic features (i.e., Lake Erie, Lake Ontario, and the St. Lawrence River) and associated wetlands, which provide critical staging areas for migratory waterfowl, waterbirds, and shorebirds, and in some instances, also serve as funnels for migrating landbirds. BCR 13 also provides some of the most important breeding habitat in eastern North America for birds associated with wetlands, grasslands, and shrubs. However, landscapes in the region have been highly modified from their original, natural condition, and are now dominated by agricultural activities or human/industrial development (e.g., large, urban areas and a large proportion of Canada’s total human population). Habitat loss and degradation (e.g., fragmentation, intensive agriculture, pollution, and invasive species) are the greatest threats to bird populations in this region (ACJV 2007).

The BCR 13 Conservation Plan lists birds and habitats of high conservation priority for the region and activities thought to be most useful for addressing those conservation needs (ACJV 2007).

North American Waterbird Conservation Plan (Version 1, 2002) and Mid-Atlantic/New England/Maritime (MANEM) Waterbird Conservation Plan (2006)

The North American Waterbird Conservation Plan (Kushlan et al. 2002) represents a partnership among individuals and institutions with the interest in and responsibility for conserving waterbirds and their habitats. The primary goal of the plan is to ensure that the distribution, diversity, and abundance of populations and habitats of breeding, migratory, and nonbreeding waterbirds are sustained or restored throughout the lands and waters of North America, Central America, and the Caribbean. It also provides a framework for conserving and managing colonially nesting, water-dependent birds. In addition, the plan facilitates continentwide planning and monitoring; national, state, and provincial conservation; regional coordination; and local habitat protection and management (Kushlan et al. 2002).

The North American Waterbird Conservation Plan identifies 16 waterbird planning regions to allow for planning at a scale that is practical yet provides a landscape-level perspective. Montezuma NWR falls within the Mid-Atlantic/New England/Maritimes (MANEM) region which extends from the Gulf of St. Lawrence to the southern end of Chesapeake Bay. To facilitate waterbird conservation in the MANEM region of the U.S. and Canada, a partnership of organizations and individuals drafted a regional waterbird conservation plan for 2006 to 2010. According to the MANEM Waterbird Conservation Plan, 74 waterbird species utilize habitats in the MANEM region for breeding, migrating, and wintering (MANEM 2007). The plan summarizes information on waterbirds and their habitats, providing a regional perspective for local conservation action. We used this plan to help develop objectives and strategies for goal 1.

U.S. Shorebird Conservation Plan (2nd Edition, 2001) and Upper Mississippi Valley/Great Lakes Regional Shorebird Conservation Plan (2000)

Concerns about shorebirds led to the creation of the U.S. Shorebird Conservation Plan in 2000; a second edition was published in May 2001 (Brown et al. 2001). The plan was developed in partnership with individuals and organizations throughout the U.S. It presents conservation goals for each U.S. region, identifies important habitat conservation and research needs, and proposes education and outreach programs.

As part of the overall shorebird conservation strategy, regional plans are developed to step-down the goals of the U.S. Shorebird Conservation Plan to a smaller scale. For the area that includes the refuge, the Upper Mississippi Valley/Great Lakes Regional Shorebird Conservation Plan (de Szalay et al. 2000) was drafted to identify priority species, habitat and species goals, and implementation projects within the region.

National Bald Eagle Management Guidelines (2007)

The Service developed National Bald Eagle Management Guidelines in May 2007 (USFWS 2007a) to advise landowners, land managers, and others who share public and private lands with bald eagles when and under what circumstances the protective provisions of the Bald and Golden

Eagle Protection Act (16 U.S.C. 668-668d; Eagle Act) may apply to their activities. The guidelines help minimize impacts on bald eagles, particularly where they may constitute a disturbance, which is prohibited under the Eagle Act. The guidelines serve to: (1) publicize the provisions of the Eagle Act; (2) advise landowners, land managers, and the public of the potential for various human activities to disturb bald eagles; and (3) encourage additional, nonbinding land management practices that benefit bald eagles. In July 2007, the Service issued a final ruling to remove the bald eagle from the Federal list of endangered and threatened species (72 FR 37346). The bald eagle remains protected under the Eagle Act and the Migratory Bird Treaty Act (16 U.S.C. 703-712) (MBTA). The Guidelines are intended primarily as a tool for landowners and planners who seek information and recommendations on how to avoid disturbing bald eagles.

Lower Great Lakes Plain Partners in Flight Bird Conservation Plan (2003)

In 1990, Partners in Flight began as a voluntary, international coalition of government agencies, conservation organizations, academic institutions, private industries, and citizens dedicated to reversing the population declines of bird species. The mission of PIF is to help species at risk, keep common birds common, and encourage voluntary partnerships for birds, habitats, and people (PIF 2009). The foundation of PIF's long-term strategy is a series of scientifically based bird conservation plans using physiographic areas as planning units. The goal of each PIF plan is to ensure the long-term maintenance of healthy populations of native birds, primarily nongame species. The plan for each physiographic area ranks bird species according to their conservation priority, describes their desired habitat conditions, develops biological objectives, and recommends conservation measures. The priority ranking factors in habitat loss, population trends, and the vulnerability of a species and its habitats to regional and local threats.

Our project area lies in the Lower Great Lakes Plain and is covered by the Lower Great Lakes Plain (Physiographic Area 15) (Dettmers and Rosenberg 2003).

New York State Wildlife Action Plan (2005)

At the end of 2001, Congress authorized the State Wildlife Grant (SWG) Program, which provides Federal dollars to states and territories to support wildlife conservation efforts aimed at preventing wildlife from becoming endangered (Public Law 107-63). The purpose of the program is to help state and tribal fish and wildlife agencies conserve fish and wildlife species of greatest conservation need. The funds appropriated under the program are allocated to each state according to a formula that takes into account its size and population.

To be eligible for additional Federal grants, and to satisfy the requirements for participating in the SWG program, each state and U.S. territory was charged with developing and submitting a statewide wildlife action plan or "comprehensive wildlife conservation strategy" to the National Advisory Acceptance Team by October 1, 2005. Each plan must address eight required elements, and identify and focus on "species of greatest conservation need," yet address the "full array of wildlife" and wildlife-related issues to "keep common species common." The New York State CWCS was completed in 2005. It creates a vision for conserving New York's wildlife and stimulates other states, Federal agencies, and conservation partners to think strategically about their individual and coordinated roles in prioritizing conservation.

In addressing the eight elements, the New York State CWCS helps supplement the information the Service gathered on species and habitat occurrences and their distribution. It was also used to help identify conservation threats and management strategies for species and habitats of conservation concern in the CCP. The expertise convened to compile the New York State CWCS and its partner and public involvement process further enhance its benefits (NYSDEC 2005a).

Montezuma Wetlands Complex Management Plan (2000)

In 2000, the Service, NYSDEC, and Ducks Unlimited developed the MWC Management Plan. This 20-year plan details a strategy for protecting, restoring, and managing wetland ecosystem functions for wildlife and people in the MWC (map 1.2). We used this plan to help develop goals and objectives.

Other Information Sources

In addition to the resources described previously, the Service also consulted the plans and resources below as the refuge management objectives and strategies were refined.

Continental or National Plans

- National Wetlands Research Center Strategic Plan: 2010–2015 (USGS 2011)
- National Audubon Society Watch List (Butcher et al. 2007)
- North American Waterfowl Management Plan: A Strategy for Cooperation 1986 (NAWMP 1986)
- North American Waterfowl Management Plan. Strategic Guide: Strengthening the Biological Foundation 2004 (NAWMP 2004)

Regional Plans

- Ducks Unlimited's International Conservation Plan (Ducks Unlimited 2005)
- Strategic Plan: The Partners for Fish and Wildlife Program (USFWS 2006 to 2010)
- Confronting Climate Change in the Great Lakes Region (Kling et al. 2003)

State Plans

- 2009 New York State Open Space Conservation Plan (NYSDEC and New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) 2009)

Local Plans

- A Greenprint for Seneca County (West 2010)

Individual Species Plans

- American Woodcock: Harvest and Breeding Population Status, 1997 (Bruggink 1997)
- A Management Plan for the Atlantic Population of Canada Geese (Canada Goose Committee 2008)
- Wild Turkey Management Plan (NYSDEC 2005b)

Refuge Operational Plans ("Step-down" Plans)

The refuge planning policy in the Service Manual lists more than 25 step-down management plans that may be required on refuges. These plans contain specific strategies and implementation schedules for achieving refuge goals and objectives. Some step-down plans require additional NEPA analysis, public involvement, and compatibility determinations (CD) before they can be implemented, and all plans require revision annually or every 5 to 10 years, as specified.

This draft CCP/EA incorporates by reference those refuge step-down plans that are up-to-date. Chapter 3 provides more information about the additional step-down plans needed for the refuge and their schedule for completion.

The following step-down plans are currently in place for the refuge:

- Fire Management Plan (2009)
- Public Hunting Plan (1995)
- Public Fishing Plan (1993)
- Public Use Plan (1994)
- Avian Influenza Contingency Plan (2006)
- Chronic Wasting Disease Plan (2005)
- Habitat Management Plan (2008)

The following plans need to be completed:

- Safety Plan (to be completed within 1 year of CCP approval)
- Integrated Pest Management Plan (to be completed within 5 years of CCP approval)
- Inventory and Monitoring Plan (to be completed within 2 years of CCP approval)
- Visitor Services Plan (to be completed within 1 year of CCP approval)
- Law Enforcement Plan (to be completed within 5 years of CCP approval)

Refuge Purposes and Land Acquisition History

Refuges can be established by Congress through special legislation, by the President through Executive Order, or administratively by the Director of the Service (with authority delegated by the Secretary of the Interior). Refuge lands may be acquired under a variety of administrative and legislative authorities as well. The Montezuma NWR was established by Executive Order 7971 on September 12, 1938, "...as a refuge and breeding ground for migratory birds and other wildlife..." Montezuma NWR has acquired lands under the authority of the Migratory Bird Conservation Act (16 U.S.C. 715-715r), as amended, "...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds."

Since the refuge was established in 1938, the Service has acquired interests in additional lands through a variety of acquisition methods, including fee title acquisition and conservation

easements. Since the early 1990s alone, over 2,500 acres of lands have been added to the refuge, and as of 2008, the Service owned approximately 8,668 acres in fee and 402 acres in conservation easements. Historically, land acquisition funds for the refuge come from two primary sources: the Land and Water Conservation Fund (LWCF), appropriated annually by Congress; and the Migratory Bird Conservation Fund (MBCF), which is replenished through the sale of Federal Migratory Bird Hunting and Conservation stamps (Duck Stamps). LWCF funding sources include revenues from the sale of surplus Federal real property, motorboat fuel taxes, fees for recreation on Federal lands, and receipts from mineral leases on the outer continental shelf.

The red line on map 1.1 depicts the refuge's approved acquisitions boundary as of 2011. Table 1.1 summarizes the land acquisition history of the refuge by year through 2012. The dates prior to 1938 represent when some of the refuge lands were first transferred from private ownership to the Federal Government. These properties were owned by different Federal agencies and were eventually transferred to the Service.

Table 1.1. History of Land Acquisition at the Montezuma NWR through 2012.

Acquisition Date	Acreage	Funding Source¹
1937	2,564	MBCF ²
1938	2,354	MBCF
1939	544	MBCF
1940	444	MBCF
1941	279	MBCF
1942	34	MBCF
1945	6	None
1959	176	MBCF
1963	27	MBCF
1965	16	MBCF
1993	53	MBCF
1995	397	MBCF
1996	186	MBCF
1997	54	MBCF
1998	608	MBCF
1999	142	MBCF
2000	87	MBCF
2001	387	MBCF, LWCF ³
2002	75	MBCF, LWCF
2004	80	LWCF
2005	106	LWCF
2006	64	MBCF
2007	381	MBCF
2008	26	LWCF

Acquisition Date	Acreage	Funding Source ¹
2009	63	MBCF
2012	31	MBCF
Total	9,184⁴	

¹ Includes some lands that were donated to the U.S. Fish and Wildlife Service.

² MBCF – Migratory Bird Conservation Fund

³ LWCF – Land and Water Conservation Fund

⁴ Acres are rounded to whole numbers; contact the refuge headquarters for precise acreages.

Farmers Home Administration Interests

From the late 1980s to the mid-1990s, the Farmers Home Administration (FmHA) acquired many properties throughout the country through foreclosure sales. Under the terms of a memorandum of understanding between FmHA and the Service, a review team consisting of their staff, our staff, staff from USDA Natural Resources Conservation Service, and staff from USDA Agricultural Stabilization and Conservation Service evaluated those properties for their conservation value. Based on those evaluations, and before reselling the properties, the FmHA placed permanent conservation easements on most of these properties to protect important habitats. FmHA retained full ownership in a smaller number of the properties. The responsibility for monitoring and enforcing those easements and managing the retained properties rests with the Service, which has usually delegated it to the manager of the closest refuge.

Montezuma NWR currently administers more than 200 FmHA interests, totaling more than 2,100 acres in easements and more than 1,000 acres in fee.

Refuge Vision Statement

Our planning team developed the following vision statement to provide a guiding philosophy and sense of purpose for the comprehensive conservation planning effort:

Amid the clamor of thousands of birds, huge flocks of migrating waterfowl alight on freshwater marshes while bald eagles soar overhead. Sweeping vistas of expansive wetlands, interspersed with cattail stands and forest, invite a closer look at areas teeming with a diversity of migratory birds and other wildlife. These are some of the images that reward and inspire visitors of Montezuma National Wildlife Refuge. Nestled in the heart of New York State's pastoral Finger Lakes region, the refuge is an essential link in an international network of wetlands and conservation lands. The refuge belongs to a coalition of partners which make up the Montezuma Wetlands Complex, part of what once was historically a 50,000-acre swamp and marshland where the sky is often "black with ducks." Through the collaboration of current and newly-forged partnerships, the refuge continues to demonstrate and promote wise and responsible resource stewardship and showcase wetland restoration management practices applied on a landscape level to benefit both wildlife and people.

Visitors of all ages and abilities feel welcome at the refuge and enjoy spectacular wildlife viewing opportunities. The refuge continues to be an important component of the local economy and community, and provides a full complement of quality wildlife-dependent

recreation, education and interpretation programs, and other public uses. We work closely with our friends, local citizens, and partners to enhance and improve nature-based tourism through community outreach, education, and advocacy.

We hope all refuge visitors from everywhere continue to value Montezuma NWR for enhancing their quality of life. Within the National Wildlife Refuge System, Montezuma NWR is treasured for conserving wetlands and wildlife and providing inspirational outdoor experiences for present and future generations of Americans.

Refuge Goals

Refuge goals were developed after considering: (1) the vision statement, (2) the purposes for establishing the refuge, (3) the missions of the Service and Refuge Systems, and (4) the mandates, plans, and conservation initiatives discussed previously. These goals are intentionally broad, descriptive statements of purpose that highlight elements of the vision statement that will be emphasized in future refuge management. The biological goals take precedence and are presented in priority order.

Goal 1: Provide, enhance, and restore where possible, freshwater emergent marsh, open water wetland, and mudflat habitats to benefit native wildlife and plant communities, particularly migrating waterfowl, shorebirds, and breeding marshbirds.

Goal 2: Restore and maintain forested wetlands, riparian forests along the Seneca and Clyde Rivers, and upland forests to benefit priority native species, including songbirds, bats, and important plant communities.

Goal 3: Manage grassland and shrubland habitats primarily to benefit bird species of conservation concern.

Goal 4: Ensure visitors of all abilities and varied interests participate in and enjoy the refuge's opportunities for wildlife observation, interpretation, photography and environmental education. Motivate them to value, support, and contribute to the refuge, MWC, and National Wildlife Refuge System. Increase their understanding of wetlands and wetland functions, and help them become better environmental stewards.

Goal 5: Provide opportunities for hunters and anglers to enjoy and support hunting and fishing on the refuge and increase their understanding of the regional environmental importance of the refuge and of the greater MWC.

Goal 6: Increase awareness and cooperation among State and Federal agencies, local communities, environmental organizations, universities and other partners. Help them understand the role of the refuge and the MWC in the community, and encourage participation in achieving the vision of the complex.

The Comprehensive Conservation Planning Process

Service policy 602 FW 3 establishes an eight-step comprehensive conservation planning process that provides guidelines for developing CCPs and facilitates compliance with NEPA by integrating NEPA compliance requirements in the CCP process (figure 1.1). The full text of the policy and a detailed description of the planning steps can be viewed at: <http://policy.fws.gov/602fw3.html>.



Figure 1.1. The CCP Planning Process and its Relationship to NEPA.

Since the refuge's establishment in 1938, the Service has focused on conserving lands within the approved refuge boundary; facilitating wildlife-dependent public uses; managing habitat for several focus species, such as grassland birds and bald eagles; and establishing relationships with the community and our partners. In 2005, we began collecting information on refuge resources and mapping refuge habitats in preparation for developing the CCP. The process described below was followed in the development of this draft CCP/EA.

Steps in the Planning Process

Step A: Preplanning

Preplanning officially began in February 2010. Several steps were initiated as part of "Step A: Preplanning," including the formation of the core planning team which is responsible for developing the CCP. Our core planning team consists of refuge staff, Regional Office staff, a representative of the New York State Department of Environmental Conservation, and a contractor responsible for compiling information and preparing documents. As part of the

preplanning process, we discussed management issues, drafted a vision statement and tentative goals and compiled a project mailing list of known stakeholders, interested individuals, organizations and agencies. We also summarized the refuge's biological inventory and monitoring information.

Step B: Public Scoping

During the month of April 2010, we distributed copies of the first planning newsletter, including an issues workbook, to approximately 400 individuals, organizations, and agencies, announcing the beginning of the planning process and asking people if they wanted to remain on the mailing list. Copies were also made available to everyone who visited the visitor contact station and everyone who visited our Web site. The workbook asked people to share what they valued most about the refuge, their vision for its future, the Service's role in their community and any other issues they wanted to raise. We received 15 completed workbooks.

On May 7, 2010, the Service formally announced the start of the planning process in a Notice of Intent in the *Federal Register* (75 FR 25286). On May 18, 2010, two public scoping meetings were held at the refuge to identify public issues and concerns, share the draft vision statement and tentative goals, describe the planning process and explain how people could become involved and stay informed about the process. Those meetings helped identify the public concerns that would need to be addressed in the planning process. Meeting locations, dates, and times were announced in local newspapers, in special mailings, and on the refuge Web site. Twenty-five people attended the public meetings. Since then, the Service has also solicited public input and concerns regularly from individuals through visitor contacts, refuge sponsored events, community-sponsored events in which the refuge participated and answered invitations to speak to community organizations. Public scoping ended on June 30, 2010, and a scoping newsletter was released in July 2010. A copy of the scoping newsletter and other CCP planning updates can be found at: <http://www.fws.gov/northeast/planning/Montezuma/ccphome.html>.

Steps C and D: Vision, Goals, and Alternatives Development

Throughout June and July 2010, the planning team worked on "Step C: Review Vision Statement, Goals, and Identify Significant Issues." The Service held a workshop to seek advice from our State partners, and other technical experts on what resources of conservation concern in the project area should be management priorities.

A planning update newsletter was distributed to the mailing list and posted on our Web site in July 2010. That newsletter shared our goals, provided an update on CCP activities and summarized the key issues the Service would address in the CCP/EA. The team also conducted a wilderness review and evaluated wild and scenic rivers potential.

From August 2010 through December of 2011, the planning team worked on "Step D: Develop and Analyze Alternatives." The planning team compiled and analyzed three management alternatives to serve as the foundation for developing this draft CCP/EA.

Step E: Draft CCP and NEPA Document

This draft CCP/EA represents "Step E: Prepare Draft Plan and NEPA document." The Service will publish a Notice of Availability (NOA) in the *Federal Register* announcing the release of

this document for its 30-day period of public review and comment. During that comment period, the Service will also hold public meetings to obtain comments on the document. We expect to receive comments by regular mail, electronic mail, and at the public meetings. We will also prepare and distribute a newsletter summarizing the three management alternatives for the draft CCP/EA to coincide with the publication of the NOA. After the comment period, the Service will review and summarize all of the substantive comments we have received, develop our responses and publish them as an appendix to the final CCP.

Step F: Adopt Final Plan

Once the final CCP has been prepared, it will be submitted to our Regional Director for approval. The Regional Director will determine whether the CCP warrants a Finding of No Significant Impact (FONSI), and whether its analysis is sufficient to simultaneously issue a decision adopting the CCP. If the Regional Director has concerns, the planning team may be required to revise the EA or complete an environmental impact statement (EIS). The Service will announce the Regional Director's final decision and the final CCP by publishing Notice(s) of Availability in the *Federal Register*. That will complete "Step F: Prepare and Adopt a Final Plan."

Steps G and H: Implement, Evaluate, and Revise the Plan

With the planning phase of the CCP process complete, "Step G: Implement Plan, Monitor and Evaluate" will begin.

As part of "Step H: Review and Revise Plan," the Service will modify or revise the final CCP, as warranted, following the procedures in Service policies 602 FW 1, 3, and 4 and the NEPA requirements. Minor revisions that meet the criteria for categorical exclusions (550 FW 3.3C) will require only an environmental action memorandum. As the Refuge Improvement Act and Service policy stipulate, the Service will review and revise the CCP at least every 15 years.

Issues, Concerns, and Opportunities

A number of issues have been raised through initial scoping for the CCP. An issue is defined as "any unsettled matter requiring a management decision" and may be an "initiative, opportunity, resource management problem, threat to a resource, conflict in use, or a public concern." Issues can arise from many sources, including refuge staff; planning team members; other Service program staff; state agencies; other Federal agencies; refuge partners, neighbors and user groups; or Congress. The planning team has grouped the issues raised to date into two categories:

- Key issues—these issues, together with refuge goals, form the basis for developing and comparing the different management alternatives. The varying opinions on how to address these key issues and conform to goals and objectives resulted in the alternatives analyzed in chapter 3. These key issues are discussed in detail below.
- Issues considered, but not analyzed further—these issues do not fall within the scope of the "purpose of, and need for, action" in this CCP/EA. These issues are discussed after the key issues below, but are not addressed further in the CCP analysis.

Key Issues

The following key issues, not arranged in any particular order, were derived from completed issues workbooks, public and partner meetings, visitor contacts, refuge staff, and planning team discussions. How these issues are addressed and how well they support refuge goals primarily distinguish the three management alternatives presented in chapter 3.

1. How will the refuge provide quality wildlife observation and photography opportunities for the public?

Wildlife observation and wildlife photography are two closely related priority wildlife-dependent uses of the Refuge System and currently draw most of the refuge's visitors. Opportunities for wildlife observation and photography are provided by several trails, an auto tour route and observation towers and overlook areas. The refuge manages these activities to ensure that visitors have opportunities to observe wildlife in ways that do not disrupt wildlife or damage wildlife habitat and minimize conflicts between users.

During the scoping process, some commenters expressed interest in increased access to Tschache Pool and Knox-Marsellus Marsh for wildlife watchers. Some members of the public also expressed an interest in increasing the number of photography blinds and hiking trails, while other members of the public commented that they do not want more areas of the refuge opened to public use to prevent disturbance to wildlife. The alternatives presented in chapter 3 consider different levels of compatible public uses for the refuge, emphasizing the six priority wildlife-dependent public uses identified in the Refuge Improvement Act (hunting, fishing, wildlife observation and photography, and environmental education and interpretation). Addressing these issues will support goal 4.

2. How will the refuge provide quality hunting and fishing opportunities for the public?

Hunting and fishing are two priority public uses of the Refuge System. They are also historical, traditional, and popular activities in the Finger Lakes region, in the State of New York and in the Refuge System.

Hunting

Our intent is to provide a quality hunting experience that is appropriate and compatible with the refuge purpose, vision, goals, and the mission of the Refuge System. Close cooperation and coordination with State fish and wildlife management agencies will continue to be important in developing and managing hunting opportunities on the refuge and in setting population management goals and objectives. Regulations permitting hunting of wildlife on the refuge will be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans. Hunting programs should be safe, accessible, and managed to minimize conflicts with other priority wildlife-dependent recreational uses. Currently, the refuge offers opportunities to hunt deer and waterfowl.

Fishing

Fishing on the refuge is in accordance with State regulations and is currently limited to the Seneca and Clyde Rivers. The refuge currently offers one fishing access area at May's Point via a parking area and a universally accessible pier.

Some members of the public have expressed interest in increased hunting and fishing opportunities, including the opening of additional areas and the taking of additional species (e.g., turkey). Other members of the public would like to close the refuge to hunting and fishing. The alternatives presented in chapter 3 consider different levels of compatible public uses for the refuge, emphasizing the six priority wildlife-dependent public uses identified in the Refuge Improvement Act (hunting, fishing, wildlife observation and photography, and environmental education and interpretation). These issues are addressed under goal 5.

3. *How will the refuge provide opportunities for trapping?*

Some members of the public have expressed interest in increased trapping opportunities. Other members of the public would like to close the refuge to trapping. Trapping on the refuge is considered a management action because it is the method used to manage populations of furbearers at sustainable levels. Trapping is currently controlled on the refuge through special use permits. Because it is a commercial activity, trappers bid for the permits. The number of permits distributed each year is adjusted to control furbearer populations at sustainable levels. This issue is addressed under goals 1 and 2, since it is authorized as a management action.

4. *How will the refuge provide environmental education and interpretation opportunities for the public?*

Environmental education is a process designed to teach participants the history and importance of conservation and the biological and scientific knowledge of our Nation's natural resources in a more formal academic format. Through this process, as with hunting and fishing, we can help develop a citizenry that has the awareness, knowledge, attitudes, skills, motivation, and commitment to work cooperatively towards the conservation of our Nation's environmental resources. Environmental education within the Refuge System incorporates onsite, offsite, and distance learning materials, activities, programs, and products that address the audience's course of study, refuge purpose(s), physical attributes, ecosystem dynamics, conservation strategies, and the Refuge System mission. Because our partners at the Montezuma Audubon Center (MAC) provide a range of environmental education opportunities, the refuge has not felt the need to fully develop its own environmental education program, given our current limited staffing levels and resources. However, we do support school field trips upon request.

Opportunities for interpretation on Montezuma NWR are provided through displays in the visitor contact station, signs at various key points throughout the refuge, a guided cell phone tour, talks (Nature of Montezuma Series, Eco-Chat Series), and guided bus tours. The refuge's brochures are written not only to orient visitors to refuge information, but also as interpretive tools.

Visitors and members of the public have expressed a desire for an increase in environmental education opportunities and the inclusion of additional information in materials, activities, and interpretive displays, including information about climate change and other potential threats to refuge resources. The alternatives presented in chapter 3 consider different levels of compatible public uses for the refuge, emphasizing the six priority wildlife-dependent public uses identified in the Refuge Improvement Act (hunting, fishing, wildlife observation and photography, and environmental education and interpretation). These issues are addressed in goal 4.

5. How will the refuge address outreach efforts?

At Montezuma NWR, visitors can orient themselves with the refuge through available maps and brochures and an announcement board that posts current and upcoming events, as well as information on special refuge projects and area closures. Throughout the refuge, standard Service signage clearly leads visitors to different public use locations. The visitor services staff accommodate visitor needs whenever possible and strive to provide good customer service. Furthermore, refuge staff and volunteers staff the visitor center from April through November to help welcome and orient visitors. Refuge facilities, roadways, and trails are maintained regularly to provide a safe environment for visitors, volunteers and refuge staff; standards for maintenance require facilities be kept clean, hazard-free and accessible wherever possible.

The refuge's Web site (<http://www.fws.gov/r5mnwr/>) also serves as an outreach tool. The Web site contains refuge history and management information; announcements of programs, events and closures; a refuge map; descriptions of available public use areas and wildlife present in the refuge; local weather conditions; and links to other MWC Web sites. During the scoping process, we received requests from the public and area agencies and organizations for informational materials that provide a stronger link between the refuge and the MWC. The alternatives presented in chapter 3 consider different levels of outreach under goals 4 and 6.

6. How will the impacts of habitat fragmentation be addressed?

The refuge is fragmented by roads, canals, powerline and other utility corridors, and farmlands. Roads and powerlines can kill, injure, or impede wildlife during their movements, and species that are unable to traverse these barriers risk becoming isolated, which can have population-level impacts.

The effects of fragmentation can be minimized through a variety of means, some of which will be evaluated as part of this draft CCP/EA. For instance, land acquisitions can include areas that increase connectivity between various habitats. Fragmentation of currently owned lands can be limited through changes in habitat management of key areas. The alternatives presented in chapter 3 consider different ways to address habitat fragmentation in the refuge. Addressing these issues will support goal 2.

7. How will the refuge address the impacts of altered hydrology?

The construction of the Erie Canal has drastically altered the area's hydrology, primarily by lowering the water table. Ditching of farmlands has caused further drying of wetlands through increased drainage. Roads and levees may both maintain dry conditions by keeping river water off of mucklands and cause water to be retained longer in areas that would have otherwise become dry periodically. The New York State Thruway (NYS Thruway; Interstate 90; I-90) is a major hydrological barrier that runs through the refuge and separates the May's Point Pool from the Main Pool. Culverts under I-90 could provide a connection between these two impoundments; however, because May's Point Pool is currently at a higher elevation, if these impoundments were connected, nearly all the water in May's Point Pool would drain into the

Main Pool. The alternatives presented in chapter 3 consider different methods for addressing the impacts of altered hydrology on the refuge under goal 1.

8. *How will the Service promote trail and Wildlife Drive connectivity both on and off the refuge?*

Trails and wildlife drives provide visitors with opportunities to observe and photograph wildlife in their habitats. Currently, the refuge has nearly 4 miles of walking trail and a 3-mile Wildlife Drive.

Some members of the public have expressed interest in additional trails, including ones located along impoundments for viewing waterbirds. Other members of the public would prefer not to increase public access/use on the refuge to protect wildlife from disturbance. In addition, visitors have indicated interest in a trail system that would provide greater connectivity between the refuge and the MWC (e.g., the MAC, State conservation lands), as well as a wildlife driving route that would connect the refuge with the MWC and other local areas of interest (e.g., wineries, Erie Canalway points of interest, etc.). Some visitors have also expressed the desire to have biking allowed on the refuge Wildlife Drive. The alternatives consider different ways to address trail and Wildlife Drive connectivity on the refuge under goal 4.

9. *How will the refuge be managed to protect Federal trust species?*

In addition to meeting their purpose(s), refuges are required to manage for Federal trust resources. These resources include: migratory birds; anadromous and interjurisdictional fish and other aquatic species; some marine mammals; federally listed, threatened and endangered, species; and, wetlands. Of these, Montezuma NWR currently supports migratory birds, the resource for which the refuge was established, wetlands, and possibly the federally listed, threatened Indiana bat. Management for migratory birds on the refuge primarily consists of habitat management and monitoring efforts. In the refuge's Habitat Management Plan (HMP), high and moderate priority habitats for migratory birds were identified on the refuge, ranging from emergent marsh and open water to early successional habitats (e.g., grasslands and shrublands). Furthermore, the refuge installs and maintains nesting structures (e.g., tern platforms, nest boxes, etc.) and regulates public access to limit disturbance to breeding and migrating birds. Monitoring of migratory birds on the refuge includes waterfowl surveys, breeding bird surveys, Christmas bird counts, and other efforts. The alternatives presented in chapter 3 consider different approaches to protecting Federal trust resources on the refuge under goals 1, 2, and 3.

10. *How will the refuge be managed with respect to biological diversity?*

We define biological diversity (or biodiversity) as the degree of variation in life and its processes, including the variety of living organisms, the genetic differences among them, and the communities and ecosystems in which they occur. In accordance with the Refuge Improvement Act and the Service's policy on maintaining biological integrity, diversity and environmental health (601 FW 3), maintaining biological diversity is one of the major responsibilities of the Refuge System.

Several comments received during public scoping indicated a desire for the refuge to expand management efforts to include focusing on additional groups of species (such as reptiles and amphibians). The alternatives presented in chapter 3 consider different ways of addressing maintaining and restoring biological diversity on the refuge. These methods are discussed in each alternative under goals 1, 2, and 3.

11. How will the refuge manage newly acquired lands?

One of the ways that the Service can protect habitat and wildlife is by acquiring suitable lands. Although the refuge has been actively acquiring lands and conservation easements from willing sellers (see table 1.1), less than half of the lands located in the original acquisition boundary have been purchased to date (see map 1.1). Most of the acreage acquired to date was former farmland that has subsequently been restored, usually by converting the acreage into impoundments, which are subjected to specific water-level regimes.

The refuge will continue to acquire new lands as funding and opportunities become available. During scoping, the planning team received comments expressing interest in the exploration of restoring new areas to less managed habitats (i.e., other than waterbird impoundments). The alternatives presented in chapter 3 consider different approaches to managing newly acquired refuge lands under goals 1 and 2.

12. How will the refuge address the impacts of climate change?

There is unequivocal evidence that Earth's climate is changing. Rainfall patterns are expected to change, with prolonged periods of drought punctuated by excessive rain being a possible scenario. Unpredictable and extreme weather events are anticipated, and changes in temperature and rainfall will alter the distribution and species composition of plants and wildlife in the area.

Although it is unlikely that the refuge can affect the large-scale changes in habitats and wildlife populations that will occur, there are ways it can minimize the deleterious effects of climate change. These include increased monitoring, increased habitat diversity (especially along a north-south gradient), and incorporation of redundancies and flexibilities into impoundments and other infrastructure designs to prepare for extreme rainfall events and droughts. We discuss the potential effects of climate change on the refuge in chapter 2, under *Physical Environment*. The alternatives presented in chapter 3 consider different management approaches for studying and minimizing the negative effects of climate change. We address this issue in goals 1, 2, 3, and 6.

13. How will the refuge address water quality?

Sources of water on the refuge include rainfall, runoff, the Seneca and Clyde Rivers and Black Brook. Unpolluted sources of water are critical to the environmental health of the refuge, as contaminants can affect vegetation (e.g., excessive nutrients cause growth of undesirable plants) and wildlife (e.g., a range of toxins affect everything from fish to birds). Land use practices in the watershed largely dictate the water quality on the refuge.

Members of the public have expressed concern over the water quality of Black Brook, which flows through urban and agricultural areas and adjacent to the Seneca Meadows Landfill before reaching the refuge. Because the refuge cannot dictate land use outside its areas of jurisdiction, it must rely largely on environmental regulations by our partners (e.g., NYSDEC and the Natural Resource Conservation Service) and educational and outreach efforts with regional landowners and other stakeholders to help ensure that water quality is maintained or improved. The alternatives presented in chapter 3 consider different approaches to maintaining water quality within the refuge. We address this issue under goals 1 and 6.

14. How will the refuge address the impacts of hydraulic fracturing?

Hydraulic fracturing (or hydrofracking) is a process that results in the creation of fractures in rocks, typically to facilitate the extraction of oil and natural gas wells. Environmental health and safety concerns with this practice have emerged, and the U.S. Environmental Protection Agency (EPA) is currently performing an extensive review of the practice, with a report likely to be released in the next few years. Currently, the Service is unaware of any ongoing or proposed hydraulic fracturing in the vicinity of the refuge; however, this may become an issue in the next 15 years. We address this issue in chapter 3, under Common to All

15. How will the refuge address universal accessibility?

Providing access to the public is an important component of the refuge's visitor services program. The refuge maintains several trails, roads, overlooks, and parking areas that support a variety of priority public uses; where possible, the refuge strives to make public access areas compliant with the Americans with Disabilities Act of 1990, as amended (ADA).

The need for increased and improved access for people with disabilities was among the comments noted during public scoping. The alternatives presented in chapter 3 consider different approaches for addressing refuge accessibility. Goals 4 and 5 will be supported when these issues are addressed.

16. How does/will the refuge affect the local economy?

Although the purpose of the Refuge System is not to provide economic opportunities (its mission being "Wildlife First"), numerous studies have shown that, overall, refuges have a positive economic impact on local economies (see chapter 4 for further details regarding the effects on local economies by the refuge). Members of the public and representatives from area towns indicated concern over the effects of Service land acquisitions on the tax-base of local communities. The socioeconomic effects of the various alternatives the Service is considering are addressed in chapter 4 of this draft CCP/EA (see section on Effects on the Socioeconomic Environment).

Issues Considered, but not Further Analyzed

- 1. Will the refuge address the development of a pull-off area along the New York Thruway (Interstate 90)?*

For several years, the refuge has supported the construction of a pulloff area along the NYS Thruway overlooking the Main Pool. This would provide a scenic vantage point, as well as offer wildlife observation, photography, and interpretation opportunities. The project was supposed to be a joint effort between the NYS Thruway Authority and the Service; however, because of budget issues, this project is no longer being pursued at the present time and will not be further addressed in this CCP.

2. Will the refuge provide camping opportunities for the public?

The refuge occasionally receives requests regarding camping. Camping is not one of the priority public uses, nor does it clearly support any of the six priority public uses. Camping could impact soils (e.g., soil compaction and vegetation loss), increase disturbance to wildlife, provide a new pathway for the introduction of invasive species, and would increase law enforcement and maintenance needs on the refuge. In addition, disposal of associated waste would be an issue. Therefore, camping will not be permitted on the refuge and will not be further addressed in this CCP.

3. Will entrance fees be implemented to help pay for public use programs and refuge upkeep?

Members of the public have asked if the Service intends to implement entrance fees on the refuge to help pay for public use programs, as well as associated repairs and maintenance of refuge facilities. The issue of entrance fees was evaluated previously by the refuge and determined to place an undue burden on the visiting public. In addition, the collection of the fees would necessitate providing additional infrastructure (e.g., booth, barriers, etc.) and personnel to collect the fees. In light of this, the refuge has determined that, at this time, entrance fees will not be implemented and will not be further addressed in this CCP.

4. Will the refuge promote carp fishing?

We received a request to allow carp fishing in the impoundments. Carp, a nonnative, invasive species of fish is common in the Seneca and Clyde Rivers and is considered a sport fish by some anglers. In the spring, carp are often found congregating where the Main Pool water control structure connects to the Seneca River. In general, the Service does not promote the use of an invasive species for public use purposes, as this could create a demand for nonnative species. This could be contradictory to our mandate to control or eradicate if possible nonnative, invasive species; therefore, carp fishing will not be further addressed in this CCP.